



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

*CF*

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/311,918	05/14/99	CHASE	M 20160/1

LMC1/0719

DAVID D LOWRY  
BOX IP 18TH FLOOR  
BROWN RUDNICK FREED AND GESMER PC  
ONE FINANCIAL CENTER  
BOSTON MA 02111

EXAMINER

LUU, S

ART UNIT

PAPER NUMBER

2773

DATE MAILED:

07/19/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

09/311,918

Applicant(s)

CHASE ET AL.

Examiner

Sy D Luu

Art Unit

2773

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 October 1999.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some \* c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) \_\_\_\_\_.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4,5.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable Farros et al. ("Farros", US # 5,930,810).

As per claim 1, Farros teaches an interactive image display system (fig. 5; col. 2, line 20 – col. 3, line 16) for displaying a printed article as it will appear when printed, comprising: a user interface component, to accept information from a user for producing said printed article, and to provide a graphic image representing said printed article for display to said user; a graphic layout component, to process said information and produce a graphic description file; and an image producing component, to process said graphic description file and produce said graphic image.

Farros does not explicitly disclose said graphic description file to be usable for a batch printing process. However, it is well known that graphic description files, such as Encapsulated PostScript files, are files that store predefined graphic information which could be sent to a remote queue for printing. Furthermore, Farros suggests that the printing process could take place at a remote location (col. 2, lines 20-24). It would have been obvious to an artisan at the

Art Unit: 2773

time of the invention that a batch printing process must be included in Farros's system so that the printing facility could manage and process the printing requests in an order manner.

As per claim 2, Farros teaches said user interface component to maintain said information from said user, allowing said user to modify a part of the information in order to view changes in said displayed printed article (co. 2, lines 60-65).

As per claims 3 and 4, Farros teaches said user interface component to maintain said information from said user, allowing said graphic layout component to produce a graphic description file, and said image producing component to produce a graphic image for a different printed article, and said information maintained by said user interface component to be used for preparing a print job for said user (col. 4, lines 16-48).

As per claims 5-7, Farros teaches said graphic image to be displayed with a background image representing an article to be printed on, wherein said background image is an image of paper stock to be printed on and said background image is sized to be the same size as said graphic image (col. 6, lines 58-65; fig. 10, elements 1007-1011).

As per claim 8, although Farros does not expressly disclose that the user can modify font sizes by specifying a percentage increase or decrease, Farros does teach that the users can modify font sizes (col. 8, lines 65-67). Since it is well known in the art that one of the manner that users can modify font sizes for display or printing is by specifying a percentage increase or decrease, it would have been obvious to an artisan at the time of the invention to include such a feature with Farros system to further provide a quick and easy means for a user's to modify font sizes.

As per claim 9, Farros teaches said graphic description file to be a Postscript file (col. 4, lines 42-43).

As per claims 10-11, Farros teaches said information from said user to include an indication of a predefined template, said predefined template including layout information for a printed article; and said graphic layout component, uses said predefined template to produce said graphic description file, and said predefined template includes at least one area for printing (col. 4, lines 21-27).

As per claim 12, Farros teaches said interactive display system to provide graphic images representing a plurality of related printed articles from said information from said user (col. 4, lines 21-30).

As per claim 13, Farros teaches said user interface component interacts with said user over the internet (col. 7, lines 7-10).

Claim 14 is similar in scope to the combination of claims 5 and 11, and is therefore rejected under similar rationale.

Claims 15-16 are similar in scope to claims 6-7 respectively, and are therefore rejected under similar rationale.

As per claim 17, Farros teaches the method to include the steps of: upon receiving an indication that said printed article is to be printed, storing said text information and an indication of said selected predefined template along with an order indication number; and upon receiving an indication that said printed article is ready to be printed, producing a graphic description file based on said text information and predefined template, said graphic description file to be used for said printing process (col. 5, lines 12-32).

Claims 18 and 19-20 are similar in scope to claims 2 and 12-13 respectively, and are therefore rejected under similar rationale.

*Conclusion*

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mellgren, III et al. (US # 6,085,126) teaches a method for preparing custom designs for multiple types of imprintable media.

Sieber (US # 5,649,216) teaches a method for automated layout of text and graphic elements.

Cannon et al. (US # 5,748,484) teaches a system for printing social expression cards in response to electronically transmitted orders.

Tackbary et al. (US # 5,555,496) teaches a method for communicating with a card distribution center for management, selection, and delivery of social expression cards.

*Responses*

4. Responses to this action should be mailed to:

**Commissioner of Patents and Trademarks  
Washington, D.C. 20231.**

If applicant desires to fax a response, (703) 308-9051(52) may be used for formal communications or (703) 308-6606 for informal or draft communications.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

*Inquires*


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Sy D. Luu** whose telephone number is (703) 305-0409. The examiner can normally be reached on **Monday - Thursday from 6:30 am to 4:00 pm**. The examiner can also be reached on alternate **Friday**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Matt Kim**, can be reached on (703) 305-3821.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Sy D. Luu  
Patent Examiner  
07/17/00

sdl

  
**RAYMOND J. BAYERL  
PRIMARY EXAMINER  
ART UNIT 2773**